TEST CODE : 746
HISTORY-2
14/5/16 REG. NO: 7952

1. The Korean War of 1950 was ~~the~~ a major theatre of cold war conflict, which was basically a clash of ideologies. The North Korea being supported by Russia and China on its road to Communism, while the South represented democracy, capitalism, propped up by the US.

Developments leading to it were:

1) Communist China under Mao emerged in 1950. It was threatened by US support of Chiang Kai Shek and looked at N. Korea as an ally
2) US didnt want N. Korea to set an example to the newly independent Asian states.
~~3) Ho Chi Minh and Viet Minh were immensely popular in the North, and US didnt want~~
3) US was confident that, in case of elections, the South will win because it had 2/3rd of the population.
4) Russians ~~and~~ and Chinese were supplying arms to the N. Koreans.

5) ~~In 1950, the No~~ UN had mandated 38th parallel as the border rel election

6) The North suddenly invaded the South in 1950.

Results of the war were:

1) China's strength as a world power was recognised.

2) Division of North and South Korea seemed virtually permanent.

3) UN gained enormous prestige as the international arbiter.

4) It hardened American stance to communists, as seen in the Bay of Pigs invasion of Cuba and bombing of Vietnam.

5) Relations with ~~the~~ Russia, China and US seemed to be at rock-bottom.

Thus, the Korean war had far reaching impacts.

2. Theoretically, the US against imperialism. It had first hand experience of its oppression. Its ideals of democracy, liberty and equality was against it.

The European powers were directly imperialist.

- They believed in the 'White Man's burden' and racial superiority, and conquered countries to implement it.
- Mercantile interests were the prime motive at first. Later it focussed on political subjugation, industrial and financial imperialism
- Colonies were completely subordinated by force, using their own resources for the army eg: Exploitation of Bengal from 1757.
- There was no semblance of democracy nor racial equality. Namesake concessions were not even provided by countries like Belgium and Holland to their colonies in Africa

- Divide and rule, playing with religions in Asia, tribes in Africa and also by propping up reactionary princes, were the direct methods used.

The United States, actively supported democracy.

- But sometimes in its battle with communism, it supported right wing dictatorships eg:- Latin America
- Its main objective to secure freedom for colonies, is to capture new markets which were dominated by Europeans.
- Instead of European 'hard power', US focussed on its "soft power", projecting it as the promised land.
- It preferred toppling unfavourable rulers, and setting up allies rather than directly ruling it politically. It was more economically efficient, and enabled a moral high ground against communism.

Therefore, the US was not imperialist, but it was definitely NEOCOLONIST.

3. Breakup of the USSR in 1989 was ~~the~~ a landmark in international relations.

Its reasons were:

1) Economic crisis: cold war military buildup against US was wearing them down.
2) Lack of visible progress in standards of living when compared to the West was proving Soviet propaganda wrong.
3) Expensive military intervention, especially in Afghanistan proved disastrous.
4) Nationalism was on the rise and the ~~empire~~ USSR could be maintained only by sheer force
5) Most important was Gorbachev's reforms of glasnost and perestroika. Attempting both political & economic reforms simultaneously (unlike China) and allowing criticism was to prove the final spark.

It had crucial consequences for India -

1) After Indira Gandhi signed the Treaty of Peace and Friendship with USSR, they were a critical military partner for India, especially supplying hi-tech hardware.

2) USSR's veto in the UN on the Kashmir issue was of immense importance.

3) The entire economic edifice of Nehruvian socialist economics was questioned when the world's greatest socialist country failed.

4) India needed to reshape its foreign policy, where NAM was becoming irrelevant.

5) India needed to move towards the US, in the new unipolar world.

Thus, collapse of the USSR had, social, economic and political consequences for India.

4. National multimedia conglomerates formed by big business houses proved to be a sea-change for Indian journalism

- Indian journalism had been highly idealistic, even before independence. But the entry of big businesses gave them a bias in the interpretation of events
- They are now more likely to side with political parties
  eg: Jaya TV, Sun TV in Tamil Nadu.
- Since they now control all sources of public information, they play the role of thought control, which could be manipulated to gain better public opinion on economic and political issues
  eg: Case of Family planning, girl child education, etc
- Increasingly MNCs have formed partnerships with Indian conglomerates, and could affect Indian interests
  eg: STAR channels, Asianet, etc.

It has also affected democratic mobilisation. ~~by~~

- Its ~~can~~ widespread reach and popularity can be used to spread awareness.
- Public opinion can be swayed by biased presentation of facts. eg: Publicising scandals.
- Easy availability of information has enabled ~~to~~ the people to make more informed choices. eg: Laxity of government staff, sting operations ~~by~~ against corruption, etc

However, its influence has now waned, especially among the youth and intelligentia because of the rise of the social media. But in rural areas, ~~especially~~ and among majority of the population, multimedia is itself the most influential.

5. Cold War refers to the multidimensional confrontation between US and USSR, along with their allies, which never became an actual "hot" war.

Geopolitically, it was a battle between the East and West. Both superpowers were vying for allies, especially among the newly independent states. US formed NATO, USSR formed Warsaw Pact. Ideologic battle was between American capitalism and Soviet Communism. US stood for individualism, liberty, democracy, enterprise. USSR stood for equality of opportunities and outcome, anti-imperialism, proletariat solidarity, and against capitalism and alienation.

The geopolitic and ideologic contest spilled to the economic field, which was in essence, the evidence of the success of the ideologies. USSR formed the Comecon, to western creations like EU; MoloTov

plan to counter Marshall aid. Both tried to secure their markets for both economic and military goods.

Factors responsible for the end of Cold war were:

1. Death of Stalin: Krushchev and later leaders was more amenable to a detente.
2. ~~Ex~~ Soviets were slowly being worn out in the arms and space race with the US.
3. Disastrous campaigns as in Afghanistan caused an economic crisis
4. Breakdown of the USSR, as a result of Gorbachev's reforms.
5. Gorbachev personally didn't want to use force to maintain the communist block, unlike earlier leaders. eg: ~~Ch~~ Czechoslovakia, Hungary.

Thus, the end of cold war was due to a combination of factors, which was finally triggered by Gorbachev.

6. Operation flood in Kaira district, led by Dr. Verghese Kurien was a big success. ~~It~~

It helped to transform India's dairy sector because

- Initially there were problems like small farmers majority, difficulty of finding markets, poor technological sophistication, etc.
- The cooperative ~~was~~ functioned democratically, which used the profits to improve village lines
- The publicity enabled most small dairy farmers to join a cooperative.
- ~~The~~ Demanding that all purchases of municipality to be made through cooperatives helped guarantee market access.
- Amul did ~~not just~~ increase dairy production by educating farmers on best practices, distributing fodder, ~~etc~~ mobile veterinary clinics, etc.
- Product diversification was Amuls biggest success, into

value added products like butter, milk powder, etc.
- It took up efforts for improving cattle breeds through artificial insemination.

All these made dairy farming vibrant and successful

It could not be replicated because

- In Khaira, there was a huge number of small farmers with at most 2 cattle heads. Most other regions have too much differentiation.
- Energetic leadership of Dr. Verghese Kurien was a significant factor
- Though state governments were enthuscastic initially, bureaucratic domination destroyed the democratic framework of the cooperatives.
- Dominant farmer classes often ended up controlling most ~~other~~ cooperatives.

~~Thus~~ But, limited success was achieved in a few areas.

7. Hitler and Mussolini's systems had both crucial similarities and differences.

Main similarities were

1) Both were totalitarian systems, aiming to control all aspects of people's lives.
2) Both believed in subordinating the individual for the sake of the nation.
3) Aggressive nationalism
4) Both glorified war.
5) Only the dominant party was allowed.
6) No civil liberties, with severe press censorship.
7) Both despised democracy.

However, on closer inspection, there were essential differences.

1) Fascism never took root in Italy as much as Nazism in Germany.
2) Mussolini had a better relationship with the Church,

while Hitler totally subjugated religion.

3) Antisemitism was absent with Fascism, and only later Mussolini tried imitating Hitler

4) Fascism was far less successful. Hitler was able to eliminate unemployment and boost industrial production.

5) Mussolini's Italy was far less brutal than Hitler's Germany.

6) ~~Fa~~ Fascists maintained nominal allegiance to the King, which was later significant when King was able to dismiss Mussolini.

Thus, both differ in the details and outcomes, even though it is similar in form.

8. Napoleon is mainly popular for his spectacular military successes.

However, they were only temporary because

(1) Congress of Vienna restored political conditions to pre-1789 world order

(2) Rise of Nationalism led to the loss of ~~most~~ several of captured territories

(3) Napoleon's system was overly centralised, which made administration very difficult

(4) Napoleon ~~left~~ named no capable successor, and eventually, all his successes were reversed after his defeat

However, his civilian work was hugely significant, though less spectacular.

1) He introduced a new prefects and auditor system,

It was based on merit, and was a success

(2) His education reforms were far reaching. Text books were re-written with an emphasis on nationalism, Lycee schools were set up and University of France was established

(3) He established the Banque de France (Bank).

(4) He introduced the metric system, which helped trade and commerce throughout Europe.

(5) Means of transport and communication proved immensely useful for facilitating trade.

(6) Curbed the power of the church and destroyed the feudal privileges, and it paved way for the capitalist revolution

Thus, Napoleon can aptly be remembered as ~~the~~ a great institution builder.

9. The fall of the autocratic Tsar and the consequent March and November revolutions led to the creation of a Socialist Russia.

SOCIAL CONDITIONS:

1) There was widespread discontent, especially after the defeat in the Russo-Japanese War.

2) Government stepped up its repression against dissent, and this alienated the university students and teachers, ie, the intelligentia.

3) Frustration against the royal family was made worse by scandals like that of Rasputin.

ECONOMIC

1) ~~There was~~ Land reforms had failed. The assassination of Stolypin, the most capable Tsarist minister made it hopeless. This alienated the peasants

2) There was widespread industrial unrest.

Thus, the Tsar alienated the 3 most important sections of

the peasants, the workers and the intelligentsia.

However, they still had the control over the army and police. But war changed all this

1) Initially there were successes under Brusilov. But Tsar Nicholas made himself the commander and made tactical blunders. So blame of failure was on him

2) Shortage of food despite them producing surplus. The railways were monopolised by the military

3) Revolutionary parties remained with capable leaders like Lenin.

4) The army, industrialists and politicians decided to sacrifice the monarchy, rather than risk a wider revolution.

Thus, this led to the demise of Tsarist regime in Russia.

10. Imperialism of European countries based on colonisation flourished in Asia and Africa. Conditions for this ~~aaa~~ were:

1) POLITICAL:

- They were all under autocratic monarchies
- They were completely heterogeneous, with multiple religions, tribes, castes, etc.
- The society was feudal and there was no sense of nationalism. Constantly fought each other

2) SOCIO-ECONOMIC

- The Europeans had made huge advancements in ship building, and had powerful navies
- Using colonial resources, they were able to quickly undergo industrial revolution
- Their economies were more efficient, with trading companies actively supported by their ~~monarchs~~ governments
- Discovery of gunpowder made

the primitive castle defences and cavalry charges obsolete.

Thus, the major reason was that the Europeans were more successful in building a modern society, while colonial countries were not.

Long term impacts

1) Economic underdevelopment became a perennial feature. Single product economies (eg: Ethiopia - coffee) proved a disaster after independence

2) Prevented political development. Therefore, after independence, most countries in Africa & Asia were torn apart by civil wars and military coups. eg: Congo, Indonesia.

3) Divide and rule policy caused permanent social discord among communities, based on religious, caste, tribal faultlines.

Thus, imperialism had far reaching impacts.

11. The First World War was a product of the complex socio-economic and political ~~nature~~ situation of Europe.

(1) IMPERIALISM: This was a major source of conflict between Britain and France. ~~The race for colonies already resulted in the 7-year war~~. Germany and Russia were late entrants and were jealous of Britain's empire. Its clear evidence is seen in the Moroccan crises, Agadir crisis.

(2) Past hostilities were important. Germany was emerging as the new economic powerhouse, and was rapidly building its navy. Austria and Serbia were always hostile and suspicious of each other. Russia, Britain and France were all deeply worried of Germany's rise. France wanted to avenge its defeat in the Franco-Prussian war.

③ Ethnic troubles plagued the ~~[illegible]~~ Habsburg empire and the Serbians were keen to increase their strength. This made Austria keen on a 'preventive war', which was eventually triggered with the Archduke's assasination. Russian support for Serbia was also on the bases of ethnicity.

④ Internal social tensions were widespread in France, Austria and Russia. Their governments were weak and inefficient. Austro-Hungary consisted of multiple racial groups and were held only by nominal allegiance to the king. A war would divert ~~their~~ all attention.

Thus, economic and military rivalry was only one factor, while the war itself was due to a culmination of internal issues, triggered by a "tragedy of miscalculation".

12. The essense of the Punjab problem of 1980s was communalism, which later evolved into separatism, extremism and terrorism

- Punjabi politics was not entirely communalist, with the Congress and communists having a decent presence. However, Akalis discarded the ideal of secularism saying that religion and politics cannot be separated.
- Once the language issue and Punjabi Suba demand were solved, the Akalis had no more outstanding demands. And as Bipan Chandra pointed out, logic of "satisfied" minority communalism moved towards separatism.
- With the rise of Bhindranwale and the terrorists, Akalis had to distinguish themselves, hence moved towards radical fundamentalism themselves.
- Their lack of mass base as seen in their defeat of elections in 1980, was ~~looked~~ sought to be bridged by communal appeal.

- The Harijan Sikhs were opposed to Akali politics, ~~and~~ because their base was among rich farmers. Demands like the Anandpur Sahib Resolution never took care of their own minorities, but sought to project religion above politics.

Punjab Accord between Sant Longowal and Rajiv Gandhi was by and large ineffective.

~~because~~
- Longowal himself was assassinated shortly after.
- Akalis entered national mainstream only when terrorism was dealt with strongly.
- President's rule had to be repeatedly declared due to lack of strong government formation.
- No strong political-ideological struggle was waged simultaneously. Hence, terrorism kept rising until ~~1993~~ 1993.

Thus, ~~na~~ the entire Punjab issue was built on the edifice of communalism.

13. League of Nations had significant achievements in socio-economic field, through

(1) ~~FAO - giving food during famine~~ Refugee organisation

(2) ILO - Improving working condition

(3) Health organisation, especially during the typhus epidemic in Russia.

Though it had a few political achievements like in Aaland islands, dispute between Peru and Columbia, Turkey and Iraq, etc, it was unable to prevent a major war.

(1) It was a French-British affair

(2) Major powers like USA didnt join. USSR and Germany joined late.

(3) Achieving a consensus on all decision was nearly impossible.

(4) Collective security based on voluntary participation was a flawed concept.

(5) Appeasement policy of Britain during Corfu, Abyssinia, Manchuria, Czechoslovakia, etc made

made it powerless.

(6) The Conference of Ambassadors often overruled the League.
eg:- Case of Vilna

(7) It was closely linked to Versailles Treaty

UN was more successful because:

(1) It had near universal membership.

(2) Democratic functioning of General Assembly with only one vote for each.

(3) Clauses like the "Uniting For Peace" could overrule the consensus principle.

(4) It has been committed to protecting human rights, unlike the League. Its scope with respect to socio economic matters is much wider.

(5) Increased power and prestige of secretary general and the security council has enabled it to take more decisive steps
eg: Korea, Suez crisis, etc.

Thus, the UNO was much more successful than the League.

14. Policy of Appeasement is seen as a major cause of World War II, because Britain and France sought to keep Germany satisfied, in a bid to avoid a major war at all costs.

But its results were:

- Italy, Germany and Japan never took the League or any of the threats seriously.
- Mussolini was encouraged by the Corfu incident and later blatantly invaded Abyssinia, with little consequence
- Hitler broke promisions of Versailles Treaty one by one: He reintroduced conscription, built up a navy, broke the Anglo-German Naval agreement, occupied Sudetenland, invaded Czechoslovakia and prepared to invade Poland.
- Japan ignored all concerns and invaded Manchuria, and later unreasonably invaded North East China.

These actions prepared ground for the World War.

1. Germany was now militarily strong, especially after the Aschluss.
2. Britain's threats not to invade Poland was discarded by Hitler, calling it a bluff.
3. Mussolini lost all respect for the League, and moved closer to Hitler.
4. The policy of the West toward communist Russia gave the chance for Hitler to sign the Non aggression pact with Stalin.
5. Hitler became a hero in Germany when the West seemed to bow before him, resulting in splendid foreign policy successes.

~~Thus~~.

Thus, the policy of Appeasement was of critical significance in starting the world war.

15. Language issue emerged with 3 different situations

① Official language issue

② Linguistic Reorganisation of states

③ Case of minority languages.

In this background, the challenges involved were:

1) The Hindu communalists with the theme 'Hind - Hindi - Hindu' started fanatical campaign for Hindi, even though no efforts were taken for developing scientific literature.

2) sanskritisation of Hindi made things worse.

3) This triggered the Tamil nationalism in the South, with anti-Hindi movements.

4) SRC declared that atleast 30% of the population must speak a language for it to be a minority language. Urdu was seen as a Muslim construct and was staunchly opposed.

5) The spread of education was too slow for the development of a common languages.

The issue was solved democratically.

- Nehru insisted on the Indian culture being a mosaic of different languages, rather than ~~being~~ assimilation.
- All major languages were declared Official languages, evolved using a 3 language formula
- President was given special responsibility with regards to minority languages
- Even though "one-language-one state" was "impossible", the reorganisation was largely successful, with all parties satisfied

Thus, as Rajni Kothari said, a potentially divisive issue was turned into a strong foundation for the Indian nation.

16. Roosevelt's New Deal was visionary, combined with his energy and zeal, it was able to bring relief to the suffering masses.

~~It focussed on~~
It helped in giving

① Relief: New projects were taken up. Republican "rugged individualism" was given up. Farmers were given direct aid. Banking and financial institutions were guaranteed by the government. Civilian conservation corps gave young men a job and some money.

② Recovery: Industrial Recovery Act was passed. Public works were started. Tennessee valley Authority was set up. Working conditions, working hours, minimum wage was set up. Social Security Act was passed to help weaker sections

③ Reform: Legislative and institutional

efforts were taken to prevent this from happening again.

However, it was of limited benefit. The World War was critical because

1. It gave ~~the~~ millions of young men a job in the army and factories
2. Industrial production got a boost.
3. European markets for the war machines industry became vibrant.
4. Domestic opposition for reforms by the Industrial leaders were toned down.
5. Agriculture supplies found outlet to feed the army.

America did well economically out of the war, unlike Europe. Hence it is correct to say that the World War was the deciding factor ~~on~~ for getting out of the depression.

17. Non Alignment was a heavily criticised concept, with John Foster Dulles calling it "immoral neutrality." However, it was critically important for the third world because

- Prevented huge military budgets for their fragile economies
- Prevented them becoming satellites of superpowers
- Helped them get aid from both superpowers. eg: US PL480 and and USSR helping Bhilai plant setting up in India.

In this context, India's active role in the world can be seen in several cases.

(1) In the Korean War, India joined with the US to condemn N. Korea's aggression. But it later condemned US invasion into N. Korea upto Yalu River as well.

(2) It was a critical component in the peace building process,

and India was the main link between Communist China and the West.

③ Even while accepting US food aid, India condemned US bombing of Vietnam.

④ India was one of the first countries to recognise Communist China, most of the African countries, and even campaigned for China's entry into the UN

⑤ To show disapproval for USSR invasion of Hungary, India abstained from voting in the UN and didnt send an ambassador to Budapest for several years.

⑥ Significant conferences like at Bandung, Belgrade, New Delhi etc strove for themes like Afro-Asian unity, Asian independence, nuclear disarmament, etc. Nehru, Tito and Nasser were the leading faces of the NAM summit.

Thus India played a significant role in world affairs

18. The Gulf War, which started with Saddam Hussein's invasion of Kuwait, and then US-led forces invasion, has multiple interpretations.

Its proclaimed goal was "international justice" and liberation of oppressed Kuwaitis. However, events leading to the war show "self interest" dominating.

① American stance towards Saddam was ~~and~~ vague at first, and supported him with weapons in the Iran-Iraq War.

② East Timor, which was invaded by Indonesia received no support, leave alone a military intervention

③ Saddam was allowed to retreat with most of his forces and later crush the Kurds, while no efforts ~~to~~ were made to secure their 'justice'.

④ No attempts were made to establish democracy or any political reform in Kuwait, which was still under paternal

despotism.

(5) Fear of Iran's rise, prevented the ~~Allies~~ US from disarming Saddam, who was undoubtedly ~~a the~~ one of the most brutal dictators.

In the aftermath, the evidence becomes even more clear.

- The US led invasion of Iraq on the charge of Saddam possessing WMD's was proven to be false
- They did it even without U.N sanction.
- Differing standards of response were taken to monarchs in Saudi Arabia ~~and~~ who were equally absolutist, and no efforts were made for their political reform.

Thus, even though the Kuwaitis were indeed in need of help, the differentiated response of the West shows clear evidence of "self interest"

19. The Sri Lankan Imbroglio of 1980s was a major failure in Indian foreign policy.

The issues which led to the ethnic disturbance were:

(1) The language issue was becoming a major problem, with official efforts to make Sinhalese the sole official language.

(2) Attacks by militant Buddhists and Sri Lankan nationalists

(3) LTTE was formed, which had strong local support.

(4) Major issues cropped up after the ~~gov~~ Sri lankan ~~army~~ govt. used repressive steps against Tamils to drive out the ~~Tar~~ LTTE, and LTTE retaliated with terror attacks.

(5) Sri Lankan issue was a major emotive force in Tamil Nadu, whose support gave the LTTE the possibility of Indian intervention.

Indo-Sri Lankan Accord ~~was~~ ~~on for~~ seemed to be a solution. It sought to disarm the rebels in exchange for more minority rights, recognition for Tamil, more prouncial powers for Northern and Eastern prounces However it failed because,

1. LTTE was not a signatory, and ~~looke away~~ refused to disarm
2. Indian army was seen as hostile by both the Tamilian and the Lankans.
3. Premadasa, Jayawardene's successor was against Indian intervention.
4. The civil war raged on until Prabhakaran, the LTTE commander was killed.

~~Thus~~ However, the Rajiv Gandhi - Jayawardene Accord served as a reference for future agreements, and hence was not a total failure

20. The tribals faced unique problems like isolationism, economic and social underdevelopment, illiteracy, unique customs and lifestyle close to nature, etc.

The Nehruvian approach, which was later adopted by all consequent governments were:

1. Tribals had to develop according to their own genius, and was against assimilation.
2. No ~~tribal~~ overadministration of tribal areas.
3. Encourage tribal languages
4. Tribal rights, especially the forest rights were to be respected.
5. Tribal people must themselves be tasked with administration.

Nehru was thus against both assimilation and also keeping them as underdeveloped museum specimens.

However, tribal progress has been very slow because:

1) Divergence between state and central government policies.
2) Ineffective administration and weak execution, as the commissioner for STs have repeatedly pointed out.
3) Unfamiliarity with laws.
4) Rapid extension of mines and industries, resulting in deforestation.
5) Class differentiation among the tribals and cornering of benefits by elites.
6) Tribal Advisory Councils have not functioned effectively.
7) Progress of education has been extremely slow.

Therefore, even though some gains were made, it has not reached its true potential.

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TEST - 1

POLITY

1. Concerns regarding the wide formulation and indiscreet application of discretionary powers of the Governor need closer attention. Discuss (150)

The Indian constitution itself guarantees the discretionary powers of the Governor through Art. 163.

There have been several concerns regarding it because of its wide applicability and the impact on the federal system.

MAJOR CONCERNS requiring closer attention:

(1) Art. ~~360~~ 356 invoking President's rule on the basis of Governor's report:
(2) Reserving State bills for President's assent
(3) Additional powers with respect to Tribal district councils or adjoining union territories.

In addition to constitutional discretion, the governor enjoys situational discretion too.

1. Appointment of chief minister when no party has clear majority
2. Dismissal of council of minister of state
3. Dissolution of state legislature assembly when council of ministers has lost its majority.

The end result, in the words of Justice Bhagwati, is that the Governor becomes a "Saboteur, rather than a sage". This was seen in the recent years in Uttarakhand and Arunachal Pradesh regarding Art. 356, and in Goa regarding the appointment of Chief Minister.

The best way forward is to heed to the Sarkaria and Punchhi commission recommendation on appointing eminent and non-political Governors

2. Explain the concept of subordinate legislation in India. Also discuss the mechanisms for their scrutiny and control. (150)

Laws in India are supposed to be created by legislators, elected or nominated. But in practice, they usually dont have the time, nor the expertise regarding technical aspects ~~xxx~~ of a law. For this reason, the legislators are assisted by the bureaucrats, and other experts. ~~This often~~ ~~and~~ This is called <u>subordinate or delegated</u> legislation.

This has some advantages like

- Domain expertise
- Awareness of ground level realities
- Political division of labour, etc.

But it has issues also.

- Unhealthy dependence on bureucrats who are not democratically elected.

- Role of political class reduced to debate and discussion.

MECHANISMS FOR SCRUTINY & CONTROL:

1. Three stage process for passing any bill, with opportunity for debate.
2. In depth examination by the ~~departmental~~ ~~standing~~ select committee of the house
3. Must repeat the entire process in both the Lok Sabha and Rajya Sabha.
4. President can use his veto powers

However, the time spent scrutinising a bill has reduced drastically from the 1950's to the present time, making such mechanisms weak. ~~Therefore~~ Making the committee stage introspection compulsory will improve the situation.

3. The crucial position accorded to the speaker in Indian legislatures makes it imperative to protect them from undue political pressures and incentives. Examine (150)

The speaker is the presiding officer of the Lok Sabha. She derives powers from the Constitution, Rules of procedure and Parliamentary conventions.

Speaker's crucial position is seen in her powers for

1) Maintaining order and decorum in the House.
2) Final interpreter of the constitution, rules of procedure and conventions.
3) Deciding whether a bill is a money bill or not.
4) Power of casting vote in case of a tie.
5) Disqualification of members on grounds of defection.

6) Appointing chairman of various parliamentary committees.

~~Recen~~ Speaker has often been accused of partisan functioning due to political pressures and incentives.

- Unlike in Britain, Speaker in India is essentially a partyman with no requirement to resign party membership.
- They are invariably from the ruling party.
- Opposition parties accuse the speaker of stifling dissent. This often leads to ruckus in the house, lowering productivity.

eg: 2016 winter session Lok Sabha productivity was abysmally low

- Money bill definition is often ambiguous. eg: Aadhar bill.
- The defection disqualification power is also often misused in the past.

4. The Departmentally Related Standing Committees have been referred to as mini-parliaments in India. Highlight their relevance in a democratic polity and discuss with examples how they improve the overall effectiveness of the Parliament. (150)

There are 24 departmental standing committees which assist the Parliament in debating the budget more effectively.

Relevance:

- Their main objective is to ensure Executive accountability towards the parliament.
- Their work is devoid of any party bias.
- It ensures economy and efficiency in public expenditure.
- It makes up for Parliament's lack of time and expertise in

analysing the various aspects of the budget.

They improve the overall effectiveness of the Parliament by considering the demand for grants before they are discussed in the Lok Sabha. They consider the annual report of various ministries. It examines bills pertaining to their respective departments. They also ~~ton~~ analyse the long term ~~poly~~ policy documents presented before the houses.

Thus, they stand true to their name of "mini - Parliaments".

5. Enumerate the issues associated with functioning of tribunals in India. How can they be addressed? (150)

Tribunals in India have the constitutional backing under Art 323A and 323B. They aim to provide speedy and inexpensive justice to public servants, while helping reduce the burden of the judiciary.

ISSUES:

1. "Tribunalisation" is seen as an attempt by the Executive to encroach into the domain of the Judiciary.
2. Several tribunals face severely inadequate workforce.
3. No uniform recruitment conditions, and are in the mercy of parent ministries for all purposes.
4. Many tribunals have locations only in Delhi, making accessibility

difficult.

(5) Often appeals are made to the Supreme Court directly, skipping High Courts. This defeats the purpose of relieving Judiciary's burden.

(6) Judicial overreach by some tribunals. eg: Armed forces tribunal granting non-functional upgrade to armed forces.

WAY FORWARD:

(1) Supreme Court guidelines in cases like Chandra Kumar case and NCLT case must be followed.

(2) Increase the autonomy and independence of tribunals from the ministries.

(3) Need to formalize the tribunal structure.

(4) Create effective appelate system so as to prevent overburdening of the courts.

6. Examine the significance of Gram Sabhas, as ~~mm~~ mentioned in Article 243 A of the constitution, in the development process with special reference to Fifth Schedule areas. (150)

73rd Amendment Act and Art. 243A mentions Gram Sabha as the foundation of the Panchayati Raj system. Gram Sabha consists of all the registered voters in a panchayat.

Significance in the development process:

Effective working of the Gram Sabha has a postive correlation with development, due to several reasons.

(1) It embodies "democratic decentralisation", wherein people feel that they own the developmental process.

(2) Helps in downward information flow regarding government schemes

(3) Helps in upward information flow, creating a feedback mechanism for the centre and states to understand what works.

(4) Jean Dreze argues that their effective functioning invariably reduces the leakages.

(5) It is a source of fresh blood, energy and ideas.

In Fifth Schedule areas, Gram Sabhas have been institutionalised by PESA Act 1996. Here,

(1) Gram Sabha is envisaged as the nucleus of all political activities and governance.

(2) Instrument to provide self rule for the tribal population.

(3) Safeguards tribal customs and traditions.

(4) Protecting the rights of locals while granting licences or mining leases for minor minerals.

7. The Rajya Sabha is merely a secondary house rather than a second house in the Indian Parliamentary system. Critically analyse the statement. Also compare and contrast the position of Rajya Sabha vis-a-vis the state legislative councils. (150)

Rajya Sabha was designed for
- providing a sober check on hasty legislation ~~on~~ by Lower House.
- Avenue for intellectuals and eminent persons to be a part of politics.
- To implement cooperative federalism, and to house the concerns of the states.

But it is criticised for merely being a "secondary" or inferior house because:

(1) Lok Sabha can push through bills using its numbers in a joint sitting.

(2) Rajya Sabha has become a sanctuary for unelectable party members.

(3) ~~Recent~~ Rajya Sabha membership has been used by parties to generate funds by selling it, ~~to become~~ as per media reports.

(4) Poor quality of debates and violent ruckus in the house has lowered the intellectual role of the Rajya Sabha.

(5) Lok Sabha can push through ~~money bills~~ controversial bills in the guise of money bills.
eg: Aadhar bill.

<u>Rajya Sabha vs Legislature Councils</u>

(1) Legislature Council can only delay a bill by 4 months at most, and then bills are considered passed.

(2) In case of money bills, its powers are similar to those of Rajya Sabha, ie, can only delay it for 14 days

(3) There is no provision for joint sitting for legislature councils

Thus, legislature councils are much weaker than Rajya Sabha's role

8. A major shift is needed in the institutional framework of the Central Water Commission (CWC) and the Central Ground Water Board to make water management more holistic and multidisciplinary. Discuss in the context of Mihir Shah Committee Recommendations. (150)

By Art. 262 of the Constitution, Parliament has the authority to provide for solving Inter-State river water disputes. The CWC and Central Ground water Board are are mechanisms to this end.

A major shift is needed from the present because:

(1) Present system of tribunals for each dispute has been ineffective, with Ravi Beas dispute festering for 30 years.

(2) Control over water is seen by states as a right, leading to civic strife. eg: Cauvery issue.

(3) No national level data bank.
(4) No issue of finality, with only 3 out of 8 tribunals giving judgements which were affected.

In this context, the Nihir Shah Committee recommendations are significant.

(1) Bring water into concurrent list.
(2) More emphasis on supply side management.
(3) Declaration of rivers as national property.
(4) Set up River Basin Organisations to regulate and develop inter-state rivers.

Government has introduced the Inter state Water Disputes ~~Act~~ Bill, 2017, to ameliorate the present situation.

9. On what grounds can a person be denied the right to contest elections to the Parliament in India? Will a lifetime ban on those convicted of heinous crimes address the problem of criminalisation of politics? Discuss. (150)

~~Indian citizens enjoy the constitutional right to vote derived from Art. 324 and 325.~~

Indian citizens generally have the right to contest, derived from the Constitution and the ~~ROPA~~ Representation of people Act, 1951

It can be denied on the grounds of:

1. Accused in a crime carrying a sentence of atleast 2[redacted] years.
2. Accused of spreading communal disharmony, hate speech, etc.
3. Unsound mind
4. Non-residence criteria for Lok Sabha.
5. Convicted for murder, rape, etc.

Recently, the election commission supported a PIL demanding life time ban on convicted politicians

- From 15th to 16th Lok Sabha, there has been an increase in criminalisation of politics, from 30 to 34%

- Politicians with money and muscle power can easily subvert the criminal justice system, if given second chance.

- Strengthen democracy: As CEC Gopalaswami argued "Law breakers must not be law-makers".

- A lifetime ban will be a deterrent, and ~~promote~~ discourage parties from wielding criminals in elections.

However, these measures must be supplemented by reforms in Model Code of Conduct, ~~and~~ increasing awareness among the people, and creating special courts to fast track such cases.

10. Directive Principles can be considered as even more important than the Fundamental rights because they give a positive thrust towards welfare. Discuss. (150)

Directive Principles (DPSP) are embodied in Part-IV of the constitution. They are non-justiciable, but serve as a guideline/roadmap for the executive.

They are considered very important because:

1. DPSP embodies the Economic and Social rights of the people, which have been ignored in the Fundamental rights.
2. It exhorts the state to work towards the fulfillment of a "good life" of the people, and not merely protecting negative rights.
3. Embodies the essence of a "socialistic pattern of society", and

reducing inequalities

(4) Several crucial efforts of the Government like Land Reforms are drawn by DPSP.

For this reason, past governments has tried to give DPSP prominence over Fundamental Rights through amendments like 42nd Amendment.

But,

- It leads to encroachment of the state into personal domain.
- Important rights like Right to Property has been removed.
- Paves way for unrestricted political populism
- Strengthens the Executive, vis-a-vis the Judiciary & Legislature.

Thus, as the Supreme Court opined in the Minerva Mills case, DPSP and fundamental rights are two sides of the same coin, and the constitution must be based on a balance between the two.

11. In light of demands for replacement of the FPTP system with other alternatives, compare the merits and enumerate the challenges associated with replacing the current system. (250)

FPTP or First Past the Post system means that the person who wins the most number of votes in an election to a constituency wins the seat. ~~It is used for single member constituency~~

MERITS:

1) FPTP is the simplest form, which is easy for the common man to understand.
2) It is biased towards a stable 2-party system as per Duverger's law, which is crucial for the Parliamentary system.
3) It discourages fringe parties representing radical ideologies.

4) It is easier for the people to identify with their political representative, who can be chosen for ~~ab~~ individual ability, rather than party colours.

5) It develops a sense of responsibility of the political representative towards their constituency, ~~rather it~~ unlike the list system.

6) It helps encourage the idea of plurality, and compromise which is suited to India's diversity.

The other prospective systems are

① Proportional Representation (PR)

② List system

These can be based on single transferable vote or based on multiple votes.

<u>CHALLENGES</u> with replacing the present system:

① Systems like Proportional Representation

or Hare's system are complex for the common man to understand and consequently hard to implement.

(2) It is true that the other systems will help in minority representation. But it could also mean the risk of radical Far-Right/Left groups based on hostile ideologies coming to power

(3) There will be no need for politicians to appeal to the general populace, because they can easily come to power based on the backing of a small group.

(4) It will spur identity politics and politics of patronage.

(5) It will give rise to unstable parliamentary majorities and broad based coalitions, which may focus on politicking, rather than governance.

Therefore, it would be better if the chinks of FPTP are removed, eg: Better population-representative ratio, inner party democracy, etc.

12 Despite long term recognition of the problem of pendency of cases in the courts, limited progress has been made in reducing their number. What are the possible reasons for such a scenario? Suggest a framework of measures that can be taken to address this issue. (250)

Around 3 crore cases are estimated to be pending before the Indian judiciary.

Reasons for such a scenario are:

① Inefficient case management. A study by DAKSH found that in several high courts like Bombay & Kerala, 86% cases took 10-15 years to be disposed of.

② Insufficient manpower and vacancies, with average time per hearing is 2 minutes.

(3) Poor judge to population ratio of only 17 judges per million, while atleast 50 are needed.

(4) ~~Impa~~ Issues regarding appointments, regarding Memorandum of Procedure, NJAC, rejection of names, etc.

(5) Poor procedures, with liberal adjournments

(6) Role of police, regarding evidence collection, witnesses, etc.

(7) Clogging of the system by huge number of appeals, traffick challans, etc.

<u>Measures required</u>:

(1) National Court of Appeal can help unclogging the higher courts from appeals.

(2) ADR (Alternative dispute resolution) methods like mediation must be encouraged

(3) Increasing manpower and working 365 days has been suggested by ex-CJIs.

(4) Lok Adalats clear millions of cases every year, and can be made more frequent.

(5) Plea bargaining can be incorporated.

(6) Training of police regarding scientific management of evidence.

(7) Effective National litigation Policy to reduce the government litigation ~~to~~ responsibly.

Since justice delayed is justice denied, the pendency of cases must be treated as a major issue and solved on a warfooting.

13. Despite the phrase 'due process of law' not being included in Article 21, the Supreme Court over the years has adopted the doctrines of 'procedural due process' and 'substantive due process' into Indian constitutional law. Comment. (250)

Art. 21 states that no person shall be deprived of his life or personal liberty except according to "procedure established by law". The constitution makers have avoided the phrase 'due process of the law', which gives wide interpretative powers to the judiciary.

'Procedure established by law' means that the judiciary can only look into whether the state was working in procedurally legal ways. It cannot question

the wisdom or propriety of the law itself. It establishes the primacy of the Parliament, which is democratically elected.

However, the Supreme Court in its Maneka Case judgement found that "due process" must be followed ~~even~~ and even the 'procedure' itself must be fair and just.'

This combined with the 'basic structure' doctrine of the Kesavananda Bharti case have tilted the balance in favour of the Judiciary, ~~as~~ giving it wide powers to protect and expand fundamental rights.

Positive implications for it is seen the expansion of Article 21. In the Unnikrishnan case, Supreme Court said that Right to Education was implicit in Right to Life. In the Francis Coralie case, Right to life was

not merely animal existence but included all aspects of dignified life. Later Art. 21 was said to encompass right to clean water, environment, etc.

However, its negative side is seen in 'Judicial overreach'. In the Vineet Narain case, the Judiciary takes on Executive role. In the Visaka case, it takes on a Legislative role. In the Interlinking rivers case, it made judgements with huge economic and environmental implications with no research.

Thus, it is clear that over the years, the judiciary adopted both procedural and substantive due process into Indian constitutional law.

14 Can we say that cooperative federalism in India has strengthened in the post-liberalisation era? Give reasons in support of your answer. (250)

Post-liberalisation era from 1991 onwards, saw several changes in favour of cooperative federalism, like:

1. Rise of multi-party politics and coalitional governments.
2. Increase in importance of state-level parties.
3. Moving towards a liberal capitalist economy, where states are active players seeking investment.
4. Democratic decentralisation as a part of 73rd and 74th Amendment Acts.
5. Rise in identity politics based on religion, caste, etc giving rise to powerful local leaders.
6. Change in attitude of Planning Commission towards an indicative role.

As a result, the nature of federalism changed. "Cooperative federalism" is defined as the harmonious working of the Centre and states towards the common goal of development. States are seen as active participants in the process.

Its working can be seen in the working of

1. Art 263 - Inter state council
2. Planning Commission
3. National Development Council
4. Chief minister's conferences
5. Setting up of Niti Aayog
6. Increased grants by the Finance Commission, etc.

However, there are some issues still.

1. Role of Governor, who are still ~~polit~~ appointed without referring to Sarkaria and Punchhi committee guidelines
2. Invocation of President's rule

(3) 16th Lok Sabha ~~are~~ witnessing the re-emergence of single party dominance.

(4) Decreasing debate and discussion in the Parliament, both in quantity and quality.

Thus, even though federalism still faces challenges, cooperative federalism has strengthened in the post-liberalisation era.

15. Faulty regulatory policies can have a severe adverse effect on the efficient interplay of market forces and end up harming public interest. Examine in the context systemic issues pertaining to the regulatory environment in India.

India has several regulators like Competition Commission of India, IRDA, AICTE, UGC, MCI, TRAI, SEBI, RBI, etc.

Faulty regulatory policies can have adverse effects, because:

(1) Hampers the smooth functioning and interplay of demand and supply.

(2) Overregulation can drive away potential investors and entrepreneurs.

(3) Overlap between agencies eg: TRAI and CCI tussle recently.

(4) Denies the benefit of competition and lower prices from reaching the consumers.

(5) Paves way for corruption, nepotism and crony capitalism.

This is partly due to the <u>systemic issues</u> pertaining to the regulatory environment, like:

(1) Multitude of regulators, with no single overarching frame-work.

(2) Outdated processes and procedures, which are cumbersome.

(3) Compliance is very time consuming

(4) Inadequate preparedness for modern challenges like the digital revolution, working of free market, internationalisation etc.

16. Mention the constitutional provisions to safeguard and ensure the independent and impartial functioning of the UPSC. Further assess the limitations of UPSC in effectively performing its role as the 'watchdog of merit system' in India as envisioned by the Constitution. (250)

Constitutional provisions safeguarding the UPSC are Articles 315 to 323.

1. Chairman and members can be removed only by the President, in the manner prescribed by the Constitution.
2. Expenses are charged on the consolidated fund of India.
3. Conditions of service cannot be varied to their disadvantage after appointment.

(4) They are not eligible for further appointment in the government. (except within the UPSC or SPSC)

LIMITATIONS :

(1) Consultation with the UPSC for appointments by the government is not mandatory.

(2) Its advice is only recommendatory in nature, and not binding.

(3) UPSC is not consulted while making reservations for SC, ST, OBCs, etc.

(4) CVC's emergence has eroded UPSC's role in disciplinary matters.

(5) UPSC members are appointed by the President, and hence there is potential for nepotism and political opportunism (unlike for eg; the NHRC)

(6) No qualifications are prescribed.

Even though, UPSC has performed its role as the merit 'watch-dog' admirably, the various weaknesses have to be ironed out.

17. What are the key issues in the context of electoral funding in India? How far do you think the idea of state funding of elections can address these issues? (250)

Electoral funding refers to methods of financing political parties

Key issues:

1. Danger of crony capitalism
2. Potential of turning into black money haven.
3. Disrupting the democratic process with money power.
   eg: Freebies, ~~as was seen in~~ bribing of voters in RK Nagar by polls recently.
4. Ensuring a level playing field for new ~~ex~~ and small entrants.

State funding of elections wherein the state takes over all election expenses, is seen as a

potential solution, because:

① It ~~influen~~ reduces the influence of personal / corporate wealth on elections.

② Increases the transparency inside the party.

③ Can be used as ~~an~~ a bargaining chip to promote internal democracy, representation of women, weaker sections, etc.

④ Reduces the potential for black money entering politics.

<u>Arguments against</u>:

① It is undemocratic, because taxpayers are forced to support even the parties they don't like.

② Politicians will be less inclined to ~~sta~~ engage the people, now that the finances are secure.

③ Political parties tend to become organs of the state.

Despite its flaws, it was recommended by Dinesh Goswami committee.

Some of the positives of state funding can be simulated by electoral reforms, like the new 'electoral bonds', strict transparency provisions under RTI, independent audits, etc

18 Separation of powers in case of India has acquired its own uniqueness under the constitutional arrangement, Explain (250)

Lord Acton famously said "Absolute power corrupts absolutely". Separation of power seeks to avoid the situation by dividing the power centres into a system of "Checks and balances".

~~It~~ In its true form, it means strict separation of the Executive, Legislature and the Judiciary, as is seen in the USA.

In India, the parliamentary system and ~~unique~~ political history has resulted in its own uniqueness.

EXECUTIVE:

It is the ~~dawing~~ government in essence. As per the Parliamentary system, the leader of the lower

house of the legislature is appointed as the PM, ie, the head of the executive. Thus, there is no strict separation of power, but its rather based on cooperation between the ~~two~~ executive and legislature.

LEGISLATURE:

It acts as a check on the executive, by enforcing financial and political accountability. Since the executive controls the majority in the legislature, it controls the law making process. But the second house, ie, Rajya Sabha can block hasty law making, and force the executive to forge a consensus.

JUDICIARY:

It is kept strictly separate from the other power centres, and using its power of judicial review, it can check the "tyranny of the majority". It is

the 'defender of the Constitution' and protector of citizens fundamental rights

UNIQUENESS:

~~The~~ The Judiciary has started to play Executive and legislative roles ~~two~~ through various judgements. In Visaka case, the Supreme Court created guidelines for women's safety in workplace. In Vineet Narain case, it took the executive role by ~~creating the~~ helping create the CVC to fight corruption.

The executive takes on judicial powers by creating Tribunals.

On the whole, the form of separation of Powers in India ~~has taken a~~ is sui generis.

19. Highlight the extent of President's powers under Article 352. Comment on the judicial scrutiny of proclamation and the exercise of executive powers under National Emergency. How is this power different from the one bestowed under Article 356? (250)

Article 352 refers to the National Emergency.

Extent of President's power.

The President can declare it in 2 cases ① External aggression
② Armed rebellion.

- It can be declared even before an actual attack taking place.
- It can be declared throughout the country or any part of it.
- It transforms the federal structure into essentially a unitary one.
- The Centre can give directions to the state on any matter.

- The President can declare the suspension of the enforcement of ~~Art 19 using Art. 358~~ all fundamental rights except Articles 20 & 21 under Art. 359.
- Art. 19 is automatically suspended under Art. 358.

Judicial Scrutiny

- The declaration of Emergency cannot be arbitrary, and is subject to judicial review.
- ~~Suspension of~~ fundamental rights are theoretically alive, only their suspension is withdrawn.
- Only laws which are related with the emergency are protected from scrutiny.
- Satisfaction of the President must be based on relevant material. ~~It co~~
- The courts cannot go into the correctness of the material, but it can check its relevance.

Difference with Art. 356

- President's rule is declared when a government of a state cannot be carried on according to the constitution.
- Art. 356 dismisses the state executive & the legislature is either dissolved or suspended. Art. 352 does not affect either.
- Maximum period of operation of Art. 356 is 3 years, whereas Art 352 has no limits.
- It has no effect on fundamental rights of citizens.
- Resolutions approving it need only simple majority, while Art. 352 needs special majority.

Thus, both Art. 352 and 356 are extraordinary powers to deal with emergencies, but their consequences are very different.

20. Fiscal transfers from the Centre to the States are critical in India. In this context, explain the rationale of both general and specific purpose fiscal transfers. Also highlight the problems witnessed in the design and implementation of specific purpose transfers. (250)

The revenue-raising power of the states are very limited in India, which makes Fiscal transfers from the Centre. It is done as per Art-275, according to the recommendation of the Finance commission. Art-282 ~~also~~ provides for 'discretionary grants'.

RATIONALE:

General purpose transfers are open ended, which means that it can be used wherever the

states find it necessary. For example, the statutory grants as per the Fourteenth Finance Commission mandating 42% of the divisible pool of taxes.

Specific purpose transfers are of two types

① Central Sector Schemes (100% funded)

② Centrally sponsored schemes where a certain share will be paid by the centre.

These are used by the centre to nudge the states to the developmental goals which are nationally expected

eg: National Food Security Scheme and MGNREGS for combatting poverty and hunger

Problems of specific purpose transfers:

① It assumes a one-size fits all approach with all the states

which is ineffective. For example, Kerala's health achievements are vastly different from Bihar's.

(2) Rigid top down model, ignoring ground level realities with little flexibility for the states.

eg: Kerala might prefer to use its health grants for industrial development instead.

(3) Poor monitoring and accountability mechanisms.

(4) Inadequate grassroots involvement using PRIs & NGO's.

(5) Poor uptake of schemes because the 'downward information flow' from the Centre to people are low.